APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,200	08/27/2001	Shell S. Simpson	10008257-1	4913

7590 10/04/2005	EXAMINER
HEWLETT-PACKARD COMPANY	SALL, EL HADJI MALICK
Intellectual Property Administration	

ART UNIT	PAPER NUMBER
2157	

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DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/940,200	SIMPSON ET AL.
	Examiner	Art Unit	
	El Hadji M. Sall	2157	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 August 2005</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>22-50</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>22-50</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the correspondence filed on August 29, 2005. Claims

1-21 have been cancelled in view of claims 22-47. Claims 48-50 have been added.

Claims 22-50 represent system for automatically recognizing devices connected in a

distributed processing environment.

2.   *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the

manner and process of making and using it, in such full, clear, concise, and exact

terms as to enable any person skilled in the art to which it pertains, or with which

it is most nearly connected, to make and use the same and shall set forth the

best mode contemplated by the inventor of carrying out his invention.

Claims 22, 32, 39, 42 and 48-50 are rejected under 35 U.S.C. 112, first

paragraph, as failing to comply with the enablement requirement. The claim(s) contains

subject matters, which were not described in the specification in such a way as to

enable one skilled in the art to which it pertains, or with which it is most nearly

connected, to make and/or use the invention. The claim subject maters are:

"discovering devices on a network that are not directly connected to a computer" and

"discovering devices on a local area network using a remote discovery element that executes on a remote computing device that is not directly connected to the local network".

Claim 39 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 39 recites the limitation "the locations" in line 5. There is insufficient antecedent basis for this limitation in the claim.

3.   *Claim Rejections - 35 USC § 102*

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4.   Claims 22-26, 29-37, 42, 43 and 45-50 are rejected under 35 U.S.C. 102(e) as

being anticipated by Goshey et al. U.S. 6,327,613.

Goshey teaches the invention as claimed including method and apparatus for

sharing peripheral devices over a network.

As to claim 22, Goshey teaches a method, comprising:

discovering devices on a network that are not directly connected to a computer

(column 4, lines 45-50, Goshey discloses when a user wishes to verify which devices it

has accessed, it performs a scan of peripheral devices; figure 2C; column 5, lines 8-24,

Goshey discloses Once the S/C ScanLan code has been loaded onto individual

computers, users of a selected networked computer will then be able to access the

peripheral devices connected to other network computers as if the peripheral devices

were connected to their local computer (i.e. in figure 2C, the peripheral devices 118,

120 and 121 are connected to computer 112b through adapter 116b, where computer

112d can access them to their network)); and

providing to a user via a network browser a list of at least one device that is

available for use on the network, wherein the list comprises at least one link to an

available device (figure 3D).

As to claim 23, Goshey teaches the method of claim 22, wherein discovering

devices comprise querying the network with a discovery element to discover devices

connected to the network (column 4, line 67 to column 5, line 5, Goshey discloses

when a server/client ScanLan code is loaded onto any one of the computers that are

networked in FIG. 2A, the code will enable a user of any one of those computers to see

and access via full SCSI commands, peripheral devices on other computers).

As to claim 24, Goshey teaches the method of claim 23, further comprising

adding the discovered devices to a discovery database (column 6, lines 16-21, Goshey

discloses the server/client code is loaded onto the first (server) and second (client)

computer).

As to claim 25, Goshey teaches the method of claim 22, further comprising

creating a web service for a discovered device that is not a web-enabled device, the

web service enabling access and use of the discovered device via the network (column

5, lines 8-24, Goshey discloses the ScanLan code is loaded onto computers 112b and

112d, and are connected to a network which can be a local area network or Internet) .

As to claim 26, Goshey teaches the method of claim 22, wherein providing a list

of at least one device comprises providing a list of available devices to a user home

service that is accessible using the network browser (figure 3D).

As to claim 29, Goshey teaches the method of claim 22, further comprising

receiving with the network browser selection of the at least one link that is associated

with a particular device (figure 3D)

As to claim 30, Goshey teaches the method of claim 29, further comprising

redirecting the network browser to the particular device (figure 3D).

As to claim 31, Goshey teaches the method of claim 30, wherein the particular

device comprises a printer that does not comprise an integral server (figure 6, item

606).

As to claim 32, Goshey teaches a device discovery service stored on

a Computer-readable medium, the service comprising:

logic configured to discover devices on a network that are not directly connected

to a computer (column 4, lines 45I-50, Goshey discloses when a user wishes to verify

which devices it has accessed, it performs a scan of peripheral devices); and

logic configured to provide a user home service accessible with a network

browser with a list of at least one device that is available for use on the network (figure 3D)

As to claim 33, Goshey teaches the device discovery service of claim 32, wherein the logic configured to discover devices is configured to discover printers connected to the network (figure 6, item 66).

As to claim 34, Goshey teaches the device discovery service of claim 32, wherein the logic configured to discover devices comprises a discovery element configured to query the network to discover devices connected to the network (column 4, line 67 to column 5, line 5, Goshey discloses when a server/client ScanLan code is loaded onto any one of the computers that are networked in FIG. 2A, the code will enable a user of any one of those computers to see and access via full SCSI commands, peripheral devices on other computers)

As to claim 35, Goshey teaches the device discovery service of claim 34,* wherein the logic configured to discover devices further comprises a discovery database configured to store a list of devices discovered by the discovery element (column 6, lines 16-21, Goshey discloses the server/client code is loaded onto the first (server) and second (client) computer)

As to claim 36, Goshey teaches the device discovery service of claim 32,

wherein the logic configured to provide comprises a discovery information provider

service (column 4, line 67 to column 5, line 5, Goshey discloses when a server/client

ScanLan code is loaded onto any one of the computers that are networked in FIG. 2A,

the code will enable a user of any one of those computers to see and access via full

SCSI commands, peripheral devices on other computers).

As to claim 37, Goshey teaches the device discovery service of claim 36,

wherein the discovery information provider service is configured to create web services

for discovered devices that are not web-enabled devices, the web services enabling

access and use of the discovered devices via a network (column 5, lines 8-24, Goshey

discloses the ScanLan code is loaded onto computers 112b and 112d, and are

connected to a network which can be a local area network or Internet).

As to claims 42 and 50, Goshey teaches a system, comprising:

means for discovering devices on a network that are not directly connected to a

computer or to a local network (column 4, lines 45-50, Goshey discloses when a user

wishes to verify which devices it has accessed, it performs a scan of peripheral devices;

figure 2C; column 5, lines 8-24, Goshey discloses Once the S/C ScanLan code has

been loaded onto individual computers, users of a selected networked computer will

then be able to access the peripheral devices connected to other network computers as

if the peripheral devices were connected to their local computer (i.e. in figure 2C, the

peripheral devices 118, 120 and 121 are connected to computer 112b through adapter

116b, where computer 112d can access them to their network));

means for querying the means for discovering to receive a list of discovered

devices (column 2, lines 47-58, Goshey discloses the second computer/client computer

is send a request to use a peripheral devices over the network);

creating a web service for a discovered device that is not web enabled such that

the non-web enabled device can be accessed and used by accessing the created web

service via a network browser (figure 3C);

means for creating links to the discovered devices (column 2, lines 63-67,

Goshey discloses determining whether the client computer has access privileges to use

the first peripheral device); and

means for providing the links to a user in a network browser for selection (figure

3D).

As to claim 43, Goshey teaches the system of claim 42, wherein the means for

discovering comprise means for discovering printers connected to the network (figure 6,

item 606).

As to claim 45, Goshey teaches the system of claim 42, further comprising

means for creating web services for discovered devices that are not web-enabled

devices, the web services enabling access and use of the discovered devices via a

network (column 5, lines 8-24, Goshey discloses the ScanLan code is loaded onto

computers 112b and 112d, and are connected to a network which can be a local area network or Internet).

As to claim 46, Goshey teaches the system of claim 42: further comprising means for receiving a user selection of a particular device (column 6, lines 63-67, Goshey discloses the first computer or server can grant or deny access privileges to other computers, selected adapters or individual devices that are connected to their host adapters).

As to claim 47, Goshey teaches the system of claim 46, further comprising means for redirecting the user browser to the particular device upon receipt of a user selection (figure 3D).

As to claim 48, Goshey teaches the method of claim 23, wherein the network is a local network and wherein the discovery element is a remote discovery element that executes on a remote computing device that is not directly connected to the local network (figure 2C).

As to claim 49, Goshey teaches the method of claim 23, wherein creating a web service comprises creating a remote web service that executes on a remote computing device that is not directly connected to the local network (figure 3C; column 5, lines 8-

24, Goshey discloses the ScanLan code is loaded onto computers 112b and 112d, and

are connected to a network which can be a local area network or Internet).

5.   *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed

or described as set forth in section 102 of this title, if the differences between the

subject matter sought to be patented and the prior art are such that the subject

matter as a whole would have been obvious at the time the invention was made

to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was

made.

6.   Claims 27, 28, 38, 39, 40, 41 and 44 are rejected under 35 U.S.C. 103(a) as

being unpatentable over anticipated by Goshey et al. U.S. 6,327,613 in view of

Carcerano et al. U.S. 6,308,205.

Goshey teaches the invention substantially as claimed including method and apparatus for sharing peripheral devices over a network.

As to claim 27, Goshey teaches the method of claim 26.

Goshey fails to teach explicitly providing a list of available devices comprises providing a set of universal resource locators (URLs) to the home service, the URLs identifying locations of the available devices.

However, Carcerano teaches browser-based network management allowing administrators to use web browser on user's workstation to view and update configuration of network devices. Carcerano teaches providing a list of available devices comprises providing a set of universal resource locators (URLs) to the home service, the URLs identifying locations of the available devices (column 7, lines 32-37, Carcerano discloses the browser sends a URL-encoded request to the server. The URL request identifies the domain name of the server as well as the location of the file resource on the server).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Goshey in view of Carcerano to provide a list of available devices comprises providing a set of universal resource locators (URLs) to the home service, the URLs identifying locations of the available devices. One would be motivated to do so to allow defining a route to a file on an HTTP server.

As to claim 28, Goshey teaches the method of claim 27.

Goshey fails to teach explicitly creating the at least one link from the set of URLs using the home service.

However, Carcerano teaches creating the at least one link from the set of URLs using the home service (column 2, lines 42-46, Carcerano discloses a first URL-encoded request is received for a user's workstation. The first request identifies a targeted one of the network devices).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Goshey in view of Carcerano to provide creating the at least one link from the set of URLs using the home service. One would be motivated to do so to allow defining a route to a file on an HTTP server.

As to claim 38, Goshey teaches the device discovery service of claim 32.

Goshey fails to teach explicitly the logic configured to provide comprises logic configured to provide a set of universal resource locators (URLs) that identify the locations of the discovered devices.

However, Carcerano teaches the logic configured to provide comprises logic configured to provide a set of universal resource locators (URLs) that identify the locations of the discovered devices (column 7, lines 32-37, Carcerano discloses the browser sends a URL-encoded request to the server. The URL request identifies the domain name of the server as well as the location of the file resource on the server).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Goshey in view of Carcerano to provide the logic configured to

provide comprises logic configured to provide a set of universal resource locators (URLs) that identify the locations of the discovered devices. One would be motivated to do so to allow defining a route to a file on an HTTP server.

As to claim 39, Goshey teaches a web-based imaging home service stored on a computer-readable medium, the service comprising:

logic configured to query a network to detect a device discovery service (column 4, lines 45-50, Goshey discloses when a user wishes to verify which devices it has accessed, it performs a scan of peripheral devices);

logic configured to create links to the discovered devices (column 2, lines 63-67, Goshey discloses determining whether the client computer has access privileges to use the first peripheral device); and

logic configured to provide the links to a user in the network browser (figure 3D).

Goshey fails to teach explicitly logic configured to receive a set of universal resource locators (URLs) that identifies the locations of devices discovered by the device discovery service.

However, Carcerano teaches logic configured to receive a set of universal resource locators (URLs) that identifies the locations of devices discovered by the device discovery service (column 7, lines 32-37, Carcerano discloses the browser sends a URL-encoded request to the server. The URL request identifies the domain name of the server as well as the location of the file resource on the server).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Goshey in view of Carcerano to provide logic configured to receive a

set of universal resource locators (URLs) that identifies the locations of devices

discovered by the device discovery service, the devices not directly connected to a

computer. One would be motivated to do so to allow defining a route to a file on an

HTTP server.

As to claim 40, Goshey teaches the service of claim 39, further comprising logic

configured to receive a user selection of a particular device (column 6, lines 63-67,

Goshey discloses the first computer or server can grant or deny access privileges to

other computers, selected adapters or individual devices that are connected to their

host adapters).

As to claim 41, Goshey teaches the service of claim 40, further comprising logic

configured to redirect the user browser to the particular device upon receipt of a user

selection (figure 3D).

As to claim 44, Goshey teaches the system of claim 42.

Goshey fails to teach means for querying comprise a web-based imaging home

service that is accessible using the network browser.

Carcerano teaches means for querying comprise a web-based imaging home

service that is accessible using the network browser (column 1, lines 60-63, Carcerano

discloses the invention allows a remote network user to view and update the

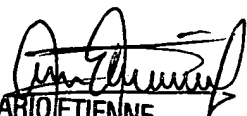configuration of network devices by using a web browser on the user's workstation).

7.   *Conclusion*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to El Hadji M Sall whose telephone number is 571-272-

4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
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